

GEORGIA STATE BOARD OF FUNERAL SERVICE
Secretary of State, Professional Licensing Boards Division

**NOTICE OF INTENT TO ADOPT A PROPOSED AMENDMENT TO THE RULES
AND NOTICE OF PUBLIC HEARING**

**Chapter 250-5 Personal Licensure, Rule 250-5-.04. General Requirements: Funeral
Director**

TO ALL INTERESTED PERSONS AND PARTIES:

Notice is hereby given that pursuant to the authority set forth below, the Georgia State Board of Funeral Service (hereinafter "Board") proposes an amendment to Chapter 250-5 Personal Licensure, Rule 250-5-.04. General Requirements: Funeral Director (hereinafter "proposed rule amendment").

This notice, together with an exact copy of the proposed rule amendment and a synopsis of the proposed rule amendment, is being distributed to all persons who have requested, in writing, that they be placed on the interested party notification list. A copy of this notice, an exact copy of the proposed rule amendment, and a synopsis of the proposed rule amendment may be reviewed during normal business hours of 8:00 a.m. to 5:00 p.m. Monday through Friday, except official State holidays, at the Office of the Secretary of State, Professional Licensing Boards Division, 237 Coliseum Drive, Macon, Georgia 31217. These documents will also be available for review on the Board's website page at <http://sos.ga.gov/index.php/licensing/plb/30>, or by contacting the Board at 478-207-2440.

Any interested party affected by the rule may present written comments to the Board no later than close of business June 5, 2018. Written comments must be legible, signed, and should contain contact information from the maker (address, telephone number, email address, etc.). Written comments should be addressed to Lisa W. Durden, Director, Office of Secretary of State, Professional Licensing Boards Division, Georgia State Board of Funeral Service, 237 Coliseum Drive, Macon, Georgia 31217; fax (866) 888-1308. Oral statements presented during the public hearing should be concise and will be limited to five (5) minutes per person.

The Board voted to adopt this Notice of Intent at its April 10, 2018 meeting. The Board also voted that the formulation and adoption of this rule does not impose excessive regulatory cost on any licensee and any cost to comply with the proposed rule cannot be reduced by a less expensive alternative that fully accomplishes the objectives of O.C.G.A. § 43-1-19; 43-1-25; 43-18-23; 43-18-41; 43-18-46. Finally, the Board voted that it is not legal or feasible in meeting the objectives of O.C.G.A. § 43-1-19; 43-1-25; 43-18-23; 43-18-41; 43-18-46 to adopt or implement differing actions for businesses as listed in O.C.G.A. § 50-13-4(3)(A), (B), (C), and (D). The formulation and adoption of these rules will impact every licensee in the same manner and each licensee is independently licensed or owned and operated in the field of funeral service.

A public hearing is scheduled to begin at 1:00 p.m. on June 12, 2018, in the Office of the Secretary of State, Professional Licensing Boards Division, 237 Coliseum Drive, Macon, Georgia 31217 to provide the public an opportunity to comment upon and provide input into the proposed rule amendment.

The proposed rule amendment will be considered for adoption by the Georgia State Board of Funeral Service at its meeting scheduled to begin 1:00 p.m. on June 12, 2018 at the Professional Licensing Boards Division, 237 Coliseum Drive, Macon, Georgia 31217. According to the Department of Law, State of Georgia, the Georgia State Board of Funeral Service has the

GEORGIA STATE BOARD OF FUNERAL SERVICE
Secretary of State, Professional Licensing Boards Division

authority to adopt the proposed rule amendment to 250-5-.04 pursuant to authority contained in O.C.G.A. § 43-1-19; 43-1-25; 43-18-23; 43-18-41; 43-18-46.

For further information, contact the Board office at (478) 207-2440.

This notice is given in compliance with Section 4(a)(1) of the Georgia Administrative Procedures Act (O.C.G.A. §50-13-4).

This 2 day of May 2018.

Lisa W. Durden
Lisa W. Durden, Director
Professional Licensing Boards

Posted: 5/2/18

GEORGIA STATE BOARD OF FUNERAL SERVICE
Secretary of State, Professional Licensing Boards Division

SYNOPSIS OF PROPOSED CHANGES TO THE RULES
Chapter 250-5 Personal Licensure, Rule 250-5-.04. General Requirements: Funeral Director

Purpose: The purpose of this amendment is to clean up language of the rule to make it more easily understood.

Main Features: The main features of this amendment are striking of archaic wording, adding language for clarification of use and submission of forms to the Board.

**DIFFERENCES BETWEEN THE EXISTING RULE AND THE
PROPOSED AMENDMENTS TO THE RULE**
Chapter 250-5 Personal Licensure, Rule 250-5-.04. General Requirements: Funeral Director

[Note: underlined text is proposed to be added; lined-through text is proposed to be deleted.]

Chapter 250-5 Personal Licensure
Rule 250-5-.04. General Requirements: Funeral Director

- (1) An applicant for licensure as a funeral director must satisfy the following requirements:
 - (a) be at least 18 years of age at the time of application;
 - (b) be of good moral character; and
 - (c) at minimum, have graduated from a high school or have earned a general education development certificate.
- (2) An applicant for licensure as a funeral director shall make ~~written~~ application to the Board on forms ~~provided~~ approved by the Board, shall submit the appropriate fee, and shall provide the following:
 - (a) proof of valid licensure as an embalmer in the State of Georgia; and
 - (b) an affidavit ~~which states stating that the, as an apprentice, the applicant assisted with at least fifty (50) funerals; the affidavit shall also and which specify the names of the deceased~~ and dates of death.
- (3) An application for licensure as a funeral director shall be reviewed by the Board only after it is complete. This application shall ask questions regarding the applicant's conviction for a felony or misdemeanor and violations or sentences under the First Offender Act. ~~An~~ A completed application must be ~~completed~~ submitted at least fifteen (15) days prior to a Board meeting, and the Board shall accept or reject each application by majority vote.

GEORGIA STATE BOARD OF FUNERAL SERVICE
Secretary of State, Professional Licensing Boards Division

Chapter 250-5 Personal Licensure

Rule 250-5-.04. General Requirements: Funeral Director

- (1) An applicant for licensure as a funeral director must satisfy the following requirements:
 - (a) be at least 18 years of age at the time of application;
 - (b) be of good moral character; and
 - (c) at minimum, have graduated from a high school or have earned a general education development certificate.
- (2) An applicant for licensure as a funeral director shall make application to the Board on forms approved by the Board, shall submit the appropriate fee, and shall provide the following:
 - (a) proof of valid licensure as an embalmer in the State of Georgia; and
 - (b) an affidavit stating that, as an apprentice, the applicant assisted with at least fifty (50) funerals; the affidavit shall also specify the names of the deceased and dates of death.
- (3) An application for licensure as a funeral director shall be reviewed by the Board only after it is complete. This application shall ask questions regarding the applicant's conviction for a felony or misdemeanor and violations or sentences under the First Offender Act. A completed application must be submitted at least fifteen (15) days prior to a Board meeting, and the Board shall accept or reject each application by majority vote.

Authority: O.C.G.A. § Secs. 43-1-19; 43-1-25; 43-18-23; 43-18-41; 43-18-46